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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,174	10/02/2003	Nenad Krtolica	Adr 10 FW.Adp	6786
41223	7590	02/22/2007	EXAMINER	
PAUL HENTZEL			TRAN, ELLEN C	
441 NEVADA AVENUE			ART UNIT	
PALO ALTO, CA 94301-4122			PAPER NUMBER	
			2134	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		02/22/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/676,174

Applicant(s)

KRTOLICA ET AL.

Examiner

Ellen C. Tran

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Ellen Tran

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communication: of an original application filed on 2 October 2003.
2. Claims 1-20 are currently pending, claims 1, 19, and 20 are independent claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
4. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Xie et al. US Patent Publication No. 2004/0059942 (hereinafter '942) .

As to independent claim 1, “A method of distributing information packets containing headers over a communication network, from multiple send endpoint ports, in a send endpoint unit, through a standard based send firewall adapter, across at least one firewall, through a standard based receive firewall adapter, to multiple receive endpoint ports in a receive endpoint unit, comprising the steps of: determining a single firewall port through the at least one firewall, from a plurality of firewall ports into the network” is taught in '942 page 2, paragraph 0020;

“opening a network tunnel connection over the communication network, along determined firewall port, which connection traverses the at least one firewall” is shown in ‘942 page 2, paragraph 0022;

“multiplexing multiple streams of packets in the multiple send endpoint ports of the send endpoint unit, into the single determined firewall port, to form a single stream of multiplexed packets; sending the multiplexed packets over communication network through the opened tunnel connection, from the send firewall adapter to the receive firewall adapter” is disclosed in ‘942 page 3, paragraph 0034;

“and demultiplexing the single determined firewall port into the multiple receive endpoint ports of the receive endpoint unit to form multiple streams of demultiplexed packets” is taught in ‘942 page 4, paragraph 0040.

As to dependent claim 2, **“further comprising before the sending step the additional step of providing a header protocol from a stack of protocols in response to the packet headers”** is shown in ‘942 page 2, paragraph 0021.

As to dependent 3, **“further comprising the additional step of altering the protocol stack by adding or deleting specific protocols”** is disclosed in ‘942 page 1, paragraph 0004.

As to dependent 4, **“wherein the at least one firewall is a single firewall between the communication network and either the send firewall adapter or the receive firewall adapter”** is taught in ‘942 page 1, paragraph 0004.

As to dependent 5, **“wherein the at least one firewall is at least two firewalls, a send firewall between the communication network and the send firewall adapter and a receive**

firewall between the communication network and the receive firewall adapter” is shown in ‘942 page 1, paragraph 0004.

As to dependent 6, “wherein the communication network has a network protocol for distributing information packets” is disclosed in ‘942 page 2, paragraph 0020.

As to dependent 7, “wherein the network protocol is TCP” is taught in ‘942 page 2, paragraph 0030, TCP equivalent to IP packets exchanged over the Internet.

As to dependent 8, “wherein the communication is carried by voice and/or video” is taught in ‘942 page 2, paragraph 0020.

As to dependent 9, “wherein the communication network is an internet” is shown in ‘942 page 2, paragraph 0020.

As to dependent 10, “wherein the communication network is a wide area network” is disclosed in ‘942 on page 4, paragraph 0040.

As to dependent 11, “wherein the communication network is a local area network” is taught in ‘942 page 4, paragraph 0040.

As to dependent 12, “wherein the determined firewall port is selected by the send firewall adapter” is shown in ‘942 page 2, paragraph 0021.

As to dependent 13, “wherein the determined firewall port is selected from a range of firewall ports” is disclosed in ‘942 on page 2, paragraph 0024.

As to dependent 14, “wherein the determined firewall port is predetermined” is taught in ‘942 page 4, paragraph 0054.

As to dependent 15, “wherein the predetermined firewall port is a default port” is shown in ‘942 page 3, paragraph 0034.

As to dependent 16, “wherein the predetermined default firewall port is the HTTP network port” is disclosed in ‘942 on page 4, paragraph 0054.

As to dependent 17, “further comprising before the sending step the additional step of opening multiple logical communication channels within the opened tunnel connection by assigning channel numbers in the header of the packets, the multiple channels corresponding to the multiple send endpoint ports” is taught in ‘942 page 2, paragraph 0021.

As to dependent 18, “further comprising after the sending step the additional step of opening multiple receive endpoint ports within the receive endpoint unit by assigning port numbers in the header of the packets, the multiple receive endpoint ports corresponding with the multiple logical communication channels” is shown in ‘942 page 2, paragraph 0021.

As to independent claim 19, this claim is directed to the apparatus performing the method of claim 1; therefore it is rejected along similar rationale.

As to independent claim 20, this claim is directed to the computer readable medium of claim 1; therefore it is rejected along similar rationale.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen C Tran whose telephone number is (571) 272-3842. The examiner can normally be reached from 6:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Kambiz Zand can be reached on (571) 272-3811. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Art Unit: 2134

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ellen Tran
Patent Examiner
Technology Center 2134
17 February 2007